

Quid Novi

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McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT DE L'UNIVERSITE MCGILL

March 14, 1988
le 14 mars, 1988

P O R N O G R A P H Y:

Not a Battle of the Sexes

MAR 15 1988

By Marie Lussier

Penthouse expert witness Dr. Eileen Manion spoke on Wednesday, March 2 on pornography (*If I like pornography can I still be a feminist?*). Dr. Manion questioned whether more precise legislation is needed on matters of obscenity. More importantly, she asked if and for whom pornography is a problem. I claim no expertise on the topic but would like to express my own views in response to the ideas propounded by Dr. Manion.

Dr. Manion mentioned that her role in the Penthouse case earned her the title of *gender traitor*, suggesting that the debate on pornography is perceived by some as a battle between the sexes. I believe that as long as women's rights are viewed in this perspective, no true equality can be achieved between men and women. I further believe that pornography is more than a form of discrimination against women and is an equal threat to members of either sex.

Pornography is an industry which both in its sale and portrayal of the human body develops the idea of humans as marketable objects and in this way undermines the distinction between people and things. On this basis the analogy between pornography and slavery is inevitable and threatens the foundations of any human society.

The right to equality implies not having to make separate claims to rights as a person and rights as a woman. Pornography is, however, often treated as a women's issue. Dr. Manion suggests that anti-pornography feminists project their frustrations regarding inequality and discrimination in other areas upon the pornography debate. She mentions as sources of such frustration, society's "casual response" to violence directed at women and the high expectations on women's physical appearance.

I consider this to be a very shallow analysis of the feminist position and suggest that it might be that some people, unlike Dr. Manion, have recognized pornography as one of the reasons such problems remain unsolved. It is true that pornography is a symbol of male power. However, feminists who attack it are not doing so to vent their anger concerning the status of women in society but as a positive form of action to correct the inequalities which pornography generates.

Dr. Manion proposes the oft-repeated defense that pornography is a threat to society only when in the hands of those who cannot distinguish reality from fantasy. Yet what IS reality but the fact that such material IS produced and distributed? Would it not be the person who fails to recognize the dehumanizing effect of such material and its impact on the values of our society who has failed to distinguish reality from fantasy?

I realize that confronting the pornography issue is a difficult task for feminists. Some suggest that more "practical" issues should be addressed first. To condone practices which are fuelled by and perpetuate actual and perceived inequality between the sexes undermines or negates the efforts and achievements of feminists in other areas. I agree that women must not use their victimization, past or present, to gain social and economic advantages, but clearly this does not mean that victimization is to be ignored.

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QUOTE OF THE WEEK:

Prof. J. Webber, Civil Law Property, on the rights of co-owners:

"If I own a house in co-ownership with my wife, can I always go after her?
Is there any way to free herself of her obligations without my consent?"

ANNOUNCEMENTS

TALMUD CLASS

Every Tuesday, 1:00 p.m., Room 202
Taught by former student Greg Bordan
Everyone is welcome,
no background is needed

* * *

BANQUET COMMITTEE

Meeting on Thursday at 1:00 p.m. in the
L.S.A. Office.

* * *

QL CODES

There are about 50 people who have not
picked up their *free access* codes from Mary
Lourenco (Mr. Renshaw's secretary). As
well, some 30 students have not signed their
contracts entitling them to a free access code.
Please act quickly or your contracts will be
returned.

* * *

DELTA THETA PHI

Elections to be held
Wed. March 23, 1988
Noon, Room 201

Delta Theta Phi sponsors:
BEER & PIZZA
in the Pit
Wed. March 16, 1988
12:00 - 2:00
Proceeds go to
The Old Brewery Mission
and
Chez Doris

THE 'PARTING SHOT'

Discotheque Zig Zag

Four Seasons Hotel Quatre Saisons

Friday, March 25, 1988 at 9:00 p.m.

Cost - \$3.00 Attire - Semi-formal

* * *

Buy your tickets at:

The Thursday Happy House Coffee Hour

Tickets also available from:

John Godb, Rod Garson
Rob Goldstein, Norbert Haensel

REMINDER

L.S.A. BOOKSTORE

LAST DAY OF BUSINESS

MONDAY, MARCH 14TH

* * *

ALL STUDENTS

SECOND TERM EXAMINATION
NUMBERS

ARE NOW AVAILABLE AT THE
STUDENT AFFAIRS OFFICE

Faculty of Law :

Skit Nite, A Charitable event:

P.T.L.

Hosts: Jim & Tammy Fakker
Jimmy Braggart

Where: The Student Union Ballroom

When: 8 PM (Open at 7 PM)

TICKETS ON SALE THIS WEEK!!!

BE THERE & BE SAVED!!!!

SI LE DROIT VOUS ENNUIE: —SUIVEZ-MOI!—

Entrevue avec Douglas "Coco" Leopold

Certains articles du Quid Novi vous ont déjà présenté des gens qui ont fait des études de droit mais qui ne pratiquent pas, du moins dans le sens traditionnel du terme. Les secteurs d'activité déjà touchés se rapprochaient tout de même du droit d'une façon ou d'une autre. Cette semaine notre personnalité n'a rien d'un juriste. Il est vraiment...hors du commun comme vous le suggéreront ses réponses à mes questions pourtant anodines.

Douglas Leopold m'a déclaré avoir eu Jacques Cartier et Louis Riel comme professeurs donc impossible de savoir en quelle année il a fait ses études de droit. (La suite du texte vous donnera quelques indices à ce sujet). L'éducation est très importante selon Douglas Leopold et son cheminement en est un parfait exemple. Histoire et sciences politiques à McGill, sociologie à Harvard, deux ans de droit à McGill, diplomatie et langues étrangères (italien et russe) à la Sorbonne puis marketing à Concordia.

PORNOGRAPHY

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The ethical issues raised by pornography cannot be satisfactorily addressed in our present legal system. A non-accountable judiciary which touts a self-serving objectivity cannot assume the role of policy-maker. Precise legislation is needed on matters of pornography yet the issue fails to secure the necessary political points to be included on the government's list of priorities. Although the *Charter of Rights and Freedoms* places freedom of expression beyond the reach of any legislation, this cannot imply that the right to express oneself places another person's freedom and right to equality beyond his/her own reach.

Pourquoi étudier le droit? Il n'avait pas les résultats scolaires nécessaires pour devenir médecin, il n'aimait pas les mathématiques et il était fasciné par le "drama" du "courtroom", tout l'aspect théâtral du droit. Bons résultats en droit public mais désastreux en obligations. F.R. Scott fut son professeur de droit constitutionnel et les Professeurs Crépeau et Brierley lui enseignèrent. Selon Douglas Leopold le premier était incroyable, le second génial et le troisième le plus beau de la Faculté.

Pour lui le droit est essentiellement vieux alors que Douglas Leopold vit dans la modernité. A son avis certains professeurs enseignent trop longtemps la même matière.

Il a surtout étudié dans le Old Chancellor Day Hall où il se souvient avoir fait un bruit d'enfer pour rendre folle la bibliothécaire qui travaillait au-dessous. Pendant ses études le New Chancellor Day Hall fut inauguré. Le Programme national venait d'être mis sur pied mais la portion d'enseignement du common law se faisait à Toronto et peu de gens voulaient s'y rendre car à cette époque Montréal était le centre du monde! Douglas Leopold trouve le droit injuste. C'est un jeu où les plus riches l'emportent. "Ce n'était pas mon bag!" Douglas Leopold n'aime pas les règles, les lois et les sociétés trop structurées car s'il suivait des règles il ne serait pas qui il est naturellement.

Quelle est sa carrière actuelle? Disons...difficile à cerner ou à caractériser en un seul mot. Il voyage énormément, de là son titre de "jetsetter"; il assiste aux premières de tous les grands événements et spectacles à Montréal; il fait de la télévision, de la radio et il écrit aussi.

Disons simplement qu'il travaille pour *Al-lure*, *Montreal Magazine*, *Downtown*, *Montreal Daily News*, *CKMF*, *Télévision Quatre Saisons* et *Télé-Métropole* (Ouf!). Il travaille beaucoup, il travaille fort mais il est

très heureux car son travail change continuellement. Son éducation, sa culture, ses voyages, ses "connections" dans les bons milieux, sa connaissance des langues, tout ça forme un mariage parfait pour faire ce qu'il fait actuellement.

Au moment où il a fait ses études la Faculté de droit était selon lui beaucoup plus élitiste. Peu de gens en première année (par rapport aux admissions à l'Université de Montréal) et surtout des étudiants venant de riches familles. Douglas Leopold qualifiait la Faculté de "private, sophisticated and chic". ("Everybody was hiding the books from everybody.") La plupart des étudiants connaissait les études d'avocats parce qu'ils étaient issus des mêmes familles et les étudiants se connaissaient souvent avant même d'entrer à la Faculté.

Quelle était la réputation de McGill à l'époque de ses études? "The best, always the best... McGill was always McGill" McGill était plus raffinée que les autres universités. Selon Douglas Leopold McGill vit actuellement une renaissance de popularité surtout à Toronto.

Certaines notions apprises en droit vous sont-elles utiles? Oui lorsqu'il achète des propriétés. Quatre avocats travaillent pour lui lorsqu'il en a besoin: Mes Feifer, Proulx, Gordon et Schachter. Selon Douglas Leopold ce sont vraiment les "boys". Il m'a situé un peu sa famille; un cousin Chez Leopold Property, un frère chez Marlyn Inc et un cousin bientôt associé chez Stikeman, Elliott (un primeur pour le Quid Novi!).

Si la loi était juste tout le temps Douglas Leopold l'accepterait mieux mais elle ne l'est pas. Il ne s'agit pas de faire justice selon lui mais de mieux connaître les "trous" dans la loi, de mieux profiter des technicalités. "I believe in fairness and it killed me that it

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Editor-in-Chief Joani
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Rédacteur anglais Condon

French Editor Jeanne
Rédactrice française Cadorette

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Directeur de gestion Lauenstein

Contributors/
Participants

Saritha Anjilvel
Gheeta Bharadia
Terry Pether
Phillip Pike
Teresa Scassa
Dan Urbas

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"Coco" Leopold... Cont'd from p.3

wasn't fair all the time." Les études furent tout de même une expérience agréable et il a voulu la continuer en devenant lui-même professeur en marketing, en art, en économie. Il m'a déclaré avoir déjà eu 1000 étudiants, plus que Messieurs Trudeau et Lévesque lorsqu'ils enseignaient. "A proof that fun is more important than other things." Le plaisir est pour lui fondamental dans le travail que nous faisons. Les avocats qui prennent plaisir à leur travail sont ceux qui réussissent, qui font leur propre PR et qui gagnent les causes controversées.

Les études de droit permettent-elles aux avocats de comprendre rapidement des situations complexes? Non... ils sont lents à comprendre et ont surtout besoin de beaucoup de précisions. Ils apprennent à suivre des règles précises alors que lui n'en suit pas dans son métier. "Il n'y a pas de règles dans le potin. One day you find something about Desmarais you can print it, one day about Mulroney you can't, one day about Trudeau you can, one day you can't and for different reasons even if they are all personal friends." Dans sa profession une seule erreur commise et 150,000 personnes entendent ce que vous avez dit. Cela lui a déjà coûté plusieurs milliers de dollars dans une poursuite pour libelle.

Pour Douglas Leopold deux ans de droit furent suffisantes pour réaliser que le droit n'était pas pour lui. Il m'a avoué n'avoir eu que des B- ce qui ne lui semblait pas suffisant par-rapport aux résultats de ses études antérieures. Selon lui il faut établir ses priorités et savoir ce que l'on veut. "If you're at the bottom of the class examine it really carefully. You're surely good in something else. Don't lose 3 or 4 years if you don't want to be a lawyer." Lorsqu'il a fait ses études les facultés de communications n'existaient pas vraiment donc il a dû obtenir plusieurs diplômes pour posséder la culture générale qui fait toute sa personnalité. "I'm natural in what I do. I don't know how to do anything else."

Si vous aviez à donner un conseil aux étudiants de droit de McGill, quel serait-il? Devenez bilingue, trilingue..., sortez du droit pendant l'été, changez-vous les idées, ne

soyez pas limités par une seule carrière ou une seule spécialité et aimez ce que vous faites. Mais le plus important: Travel, travel, travel... Les avocats qui réussissent sont ceux qui s'intéressent aux activités de loisir dès l'enfance, à la culture, à l'art et à l'amélioration de la société en général. Selon lui il n'est pas nécessaire d'être riche pour suivre ses conseils, il suffit de travailler fort, de savoir s'organiser car il y a toujours du travail pour ceux qui cherchent.

Si vous pouviez tout recommencer, le droit ferait-il partie de vos études? Non (très clairement non!) il préférerait plus d'études d'histoire, d'art, de marketing. En plus de Paris, Boston, Montréal il irait à New-York et à Londres surtout. Il serait chef d'orchestre ou chanteur d'opéra (nous sommes très loin du droit maintenant...).

Douglas Leopold m'a dit être surpris que les facultés de communications ne fassent pas appel aux services des journalistes comme lui qui réussissent. "Je suppose que, comme d'habitude, on prend ceux qui ne réussissent pas pour enseigner!"

Montréalais d'origine et anglophone évidemment Douglas Leopold a passé un an à Paris pour bien parler français. Selon lui n'importe quel anglophone d'ici devrait faire la même chose. C'est une joie de pouvoir bien parler français et il n'y a rien de pire qu'un anglophone qui parle français avec un accent ou qui manque de vocabulaire. La langue qu'il parle lui-même est assez particulière surtout à cause de sa vitesse d'élocution. Il m'a avoué très franchement que l'Office de la langue française n'est pas président du Coco fan club.

Ceux qui sont intéressés par le type de carrière de Douglas Leopold peuvent communiquer avec lui en contactant l'un des endroits où il travaille. Conditions: être intelligent, mondain, branché, organisé et savoir tout ce qui se passe d'intéressant en ville. De toute façon même pour les avocats c'est important de participer à la vie sociale car c'est là que se cachent les clients intéressants.

Faire une entrevue avec Douglas Leopold c'est beaucoup plus que recueillir des commentaires, c'est surtout entrevoir certains
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The Letter of the Law Games: Horace Rumpole, Equity Court

Dear Uncle Horace,

It is with a light, albeit still shaky hand, that I find myself writing to you in your avuncular and not professional role. Rest easy, old warrior, you will not have to rise to your hind legs on my behalf, although a scant few days ago I envisioned a long cold future in the Windsor nick. Mind not a word to the trouble and strife, but I thought I'd share some reflections from the last night of my last Law Games.

Fate dealt a cruel hand. It is difficult enough to survive the Law Games but when one is confronted by strippers, policemen, fire alarms, the demon rum, and the call of the hall walker, a young man's fancy rightly lands him into trouble. So it was that after a gruelling day of sporting, my body ached with the lornful futility of passing youth. "How vainly men themselves amaze, to seek the palm, the oak, the bays." A bottle was summoned to annihilate all that's made for a drunken thought, in a drunken shade.

I enlisted the company of Smoothie Blue - an elusive mystic from south of the crossroads with a consuming preference for hardwood floors over wall to wall. Like a shameless tramp, he claimed to have trained under Gordo - a boast so idiotic I dismissed it to

alcohol. A complicated, absorbing ritual enabled us to reduce our motor reflexes, heighten our cosmic awareness, and speech our slur. Then it was off, our first step down the hallway of discovery, at a glacial clip.

Stray thoughts passed through me like bran muffins. Brian MacFarland's epitaph for the Games, "What a way to meet other law students from all over... and hate them all," captured the flavour of competition. It was decided that fourteen was not that large a number; after all, there are a lot of numbers larger than fourteen and only thirteen real numbers smaller. As such it was bad luck, against the odds, that two hockey teams had ended up with less than fourteen. We wondered if Suzanne Desautels compared numbers from around the world.

I took a second step. Smoothie, struggling to keep pace, brought up the success of the ball hockey team - a thought which gave me pause. Perhaps the Games do little to bond separate schools, but there is nothing like victory to galvanize from within. The team prospered with the injection of school spirit, a rare hitherto untried stimulant, resulting in an intense style of play. Fine goaltending by Il Duce, shrewd management by Tom Brophy Friedland and all round dirty play secured the silverware.

A bell tolled, indicating fire, but prompting no response. Too many bells had already been answered. In particular, the proud and tireless workers of Room 251 fought a Pyrrhic battle with themselves for five long days. They alone may have triggered the knolling smoke alarm. Indeed, McGill was heartily represented by women - some playing entire games of broomball without rest (leading to a tough loss in the semi-finals), others playing nothing whatsoever. And what pulchritude, we pondered, pausing from our peripatetic perambulation.

The bells rang on. "Begin, and cease, and then again begin, with tremulous cadence slow, and bring the eternal note of sadness in." At once a door sprang open, loosening a creature hurling invectives and bathroom utensils. "I saw her upon closer view, A Spirit yet a Woman too!" Smoothie was hit, a glass shattered on his backside, wounded in body and heart he gasped "Had she come all the way for this, to part at last without a kiss?" It was not the only time a McGill man asked this question through the week. It was only the night before we had stood outside the same room, transfixed by the siren's song rising "overhead, in a full-hearted evensong of joy illimited." A fine line separates joy and anger and clearly she had crossed it.

Peter Noble would have none of it. The expense of spirit in a waste of shame is Peter in action. I shared Ginsberg's lament, "I saw the best minds of my generation destroyed by madness, starving hysterical naked." Within seconds, Peter personally guaranteed a visit from the police. I trod on, Smoothie in tow whimpering that "no one remembers the victim", playing Page to my Wenceslas.

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Speaker's Corner

Law and Policy Workshop

Unless otherwise indicated, all presentations will be given in Room 202 of 3644 Peel St. on Fridays at noon.

March 18: Jason Johnston
University of Vermont
"Rules Versus Standards"

"Coco" Leopold...
Cont'd from p.4

aspects moins connus d'une personnalité très spéciale qui a pourtant en commun avec nous l'étude du droit. Evidemment quand on est aussi occupé qu'il peut l'être le téléphone n'est pas silencieux souvent (parole de reporter!)

Un dernier conseil à donner à nos lecteurs? "You have enough time to look at law. Get out, get fresh air while the brain is still functioning"

McGill - CALS New National Headquarters

By Robert A. Higgins
V.P. Common Law

CALS? A little known southwest American university, right? Wrong! It's the Canadian Association of Law Students (en français, Association canadienne des étudiants en droit). "...Oh, never heard of it. What's it do?" On my way to the annual CALS/ACED conference, I heard this several times from the many people who thought the Law Games were strictly for fun. The fact is, quite a bit goes on, inconspicuously, behind the scenes of sports, parties and a 5 McChickens-per-day-diet. Aside from a Canada Law Games Symposium discussing "the right of females to participate with and against males in sports, as well as the pros and cons of athletic scholarships", the University of Windsor was also host to, as I said, the annual CALS/ACED conference.

As V.P. Common Law, I was the McGill representative to CALS/ACED. However, that is not to say CALS/ACED is an exclusively Common Law association: rather, the feeling at the conference was that CALS/ACED should seek to encourage the membership of all common and civil law schools. In a recent letter, Greg Johns of Queens Law School (and past President of CALS/ACED) expressed the view that the conference was a real success in four significant areas. I agree. In his words, "first, we were able to come to a consensus on the nature of CALS/ACED as a loose and informal but necessary and valuable organization. Second, we approved a new more widely acceptable funding formula. Third, we had meaningful discussions on a number of current issues. Fourth, we elected an enthusiastic and very capable executive under Sue Stashnoff (of UVIC) as President." Our own David Lametti was chosen as CALS/ACED Secretary-Treas-

urer. Dave, I'm sure, will have his hands full again as McGill has been given the distinction of being the National Headquarters of CALS/ACED. McGill will keep the general records for CALS and will serve to facilitate and promote communications among all Canadian Law faculties. (What better place?)

The conference was well attended by the University of Victoria, UBC, University of Calgary, University of Saskatchewan, University of Manitoba, University of Windsor, University of Toronto, Queen's University, Ottawa University, Osgoode Hall Law School, University of New Brunswick, l'Université de Montréal, Université Laval, and McGill.

Opening Remarks - Dean of Law, University of Windsor

Dean Neil Gold expressed his interest in student involvement as "constructive activism". Calling for greater student participation in all areas of law school, the Dean discussed changes in curriculum as a prime example. However, he saw problems with effective participation as caused partly by wide divisions in student interests and faculty misperceptions of the experience and ability of students to contribute. This, he said, is compounded by the transient nature of student involvement, i.e. here today and gone tomorrow. He felt that some faculty members believe they can avoid changes proposed by students by simply "waiting them out" until graduation.

From the discussion that ensued it would appear that McGill is well ahead in the movement away from obligatory course programs.

Bridging Week

This apparently radical curriculum change has met with favourable response in the centres such as UVIC and U of T which have implemented it. Essentially, a bridging period involves up to a 3 week period at the beginning of first year as an introduction to law wherein seminars are conducted on topics such as law and economics, legal theory and legal history. During this time, no other classes are held and the new student gets a good chance to get his or her feet wet before being thrown into the deep end.

Highlights of the Main Agenda

1. CALS/ACED - continued existence?

It was agreed that CALS/ACED should continue due to its importance as a national forum for the exchange of ideas as well as its lobby-power where a national consensus on student issues can make a difference. Of note, as a vehicle for such input is the Federation of Law Societies which recently established a National Committee for Legal Education: CALS/ACED will seek representation on this committee.

2. CALS/ACED - funding

In order to promote greater national participation in CALS/ACED and to provide CALS/ACED with an operating budget, a new funding proposal was accepted. Instead of a straight 50 cents/ student, a flat fee of \$175 per school plus a 10 cents/ student charge was accepted. The idea is to recognize the value each school as a whole benefits from CALS/ACED yet at the same time paying heed to the fact that larger schools can afford to contribute more. For McGill, it means a savings of about \$25 from an estimated \$250. But for larger schools such as

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McGill-CALS... Cont'd from p.6

Osgoode and Laval with over 1000 students, it means a fee of approximately \$300 instead of \$600. As a result Laval will likely participate and Osgoode has pledged to pay for the first time in the existence of CALS/ACED.

It was further agreed that the annual meeting would be held at the time and place of the Law Games to ensure greater participation in the conference and to take advantage of the group rates for transportation and accommodation.

CALS/ACED also intends to conduct funding through a new National CALS/ACED newsletter and other perhaps more promising, less grandiose endeavours.

3. Newsletter

To further promote communication with other schools, a newsletter will be published each term. Submissions will be solicited, if you will, from each school dealing with their particular "hot issues". Osgoode has undertaken the publishing of the newsletter and claims it will see to the paper being self-financing. It was decided that the newsletter would be as bilingual as possible. This will involve not merely French and English articles or translated synopses (as in the CBA National Newspaper) but, wherever possible, full translations of each article.

4. Student Debt

UVIC brought copies of a recent study conducted at their law school of student debt which showed loans of up to \$30,000 becoming due upon graduation. At the University of Manitoba, whose average debt load was estimated at \$6,000, pressure put on the Law Society and provincial government resulted in an "Order in Council" declaring the articling time as an "academic period". Loans, therefore, would not become due before the student completed this program. UVIC said attempts in this manner have not met with success.

I believe this survey should be initiated at McGill to understand where students in

general stand and if some course of action is necessary.

5. Law Student Mobility

Bizarre or not, there are more and more students discussing the possibility of a Charter challenge of provincial articling requirements as being against mobility rights. (I remember Dean Rod Macdonald mentioning the possibility and if he's on to it — what can I say?)

There is certainly something to be said for the similarity in laws from province to province. It may be difficult to argue for a straight transference of credit for articling time, but it seems entirely reasonable that some recognition should be given to the time spent and experience gained while articling in a different province.

From a more realistic perspective, Ontario is looking at a **Co-operative Education in Law Program** which would allow summer employment to count for articling time. Although this has been the case in beautiful New Brunswick, the Law Society there is leaning towards phasing it out. British Columbia just plain frowns on it, claiming they want their students "to have fun".

6. Fundraising Proposal

Those of you returning next year (ha!) should hang on to your credit card applications for a bit longer. CALS/ACED will be sending out "credi-kit" multi-application forms (you've seen them on every wall on every institution (?) since high school). For each application made from these forms \$3.00 will be donated to CALS/ACED. The national Med Students association made about \$1000 last year doing this and projects about \$2 -3,000 this year. The proposal, however, will depend on each school getting permission to use student mailing lists.

7. Technology and Computers in Legal Education

Despite the money spent at McGill on computers we are far from the leaders in Canada (such as UBC, to whom IBM apparently donated a \$6 million mainframe as part of a co-operative legal education program). On the other hand, other prominent schools such

as U of T are running on one P.C. due to lack of funding.

In Ontario there appears to be a policy against incidental fees (user fees) as being inequitable. As a result they initiated a 4% increase in tuition.

There appears to be a significant problem rearing its menacing head in the form of the new federal copyright laws. Apparently this makes common use of software questionable because of a lack of personal contracts. It seems you can take out and use a book from a library, but not computer software. This may pose problems for student access to our computers on the fourth floor.

8. Sexism in Law

Those of you wondering if whether the low key presence of Women and the Law at McGill means sexism is no longer a problem are badly misinformed. This serious topic was given open and mature discussion at the CALS/ACED conference.

At Queen's University, a group of professors including Sheila McIntyre have spoken out against the "sexist attitude" of students. Greg Johns, President of Queen's, disagreed with this view (which he had presented). He also drew attention to a situation at Queen's where Professor K. Leahy offered a course on "advanced tax issues from a feminist perspective". This course replaced corporate tax. The uproar which resulted led to both courses being held.

It seems Queen's has had its share of curriculum related difficulties. Another course on Advocacy for Women, initially thought to be restricted to women, was found not to be so. Rather, it concentrated on women's concerns only. Apparently male students may also enrol.

President Johns said the "bad blood" caused has overall been good for the school in that important issues are raised. Apparently a number of students go to Queen's for the "women's perspective program".

Some concerns were raised at the apparent preference being statistically shown in the hiring of professors. At Queen's the last 4

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McGill-CALS...

Cont'd from p.7

professors hired were women. At UNB, and apparently Dalhousie, the consensus was that it is difficult to get a job as a professor if you're a man. In Manitoba, sexism was claimed to be a dead issue, although this view was questioned on the basis of significant Women and the Law representation in that area.

At U. of T., feminist issues are very much alive. There was said to be an "affirmative action policy" with respect to hiring. Most new Profs, it was claimed, are women.

Furthermore, at U. of T., gender neutral speech is a policy in classes and is seen as a sign of progress. Feminist issues are the planned subject of part of next year's **Bridging Period** (*supra*).

Discussion and appreciation was paid to McGill's **Committee on Sensibility and Sensitivity**, of last year, which caused heated, effective and memorable debate at a spring meeting of Faculty Council.

The University of Saskatchewan drew the attention of the conference to problems in the articling interview. In Calgary, it seems, a real problem exists although it was said some of the large firms "are great".

Apparently the competition in Toronto has driven out sexist problems in most areas save higher level positions.

In British Columbia a female student in an interview was asked the following question: "Are you involved in a relationship that may take you away from Vancouver?" The consensus at the conference was that as such a question was unlikely to be asked of a male student, it was inappropriate. Rather, the question should have been asked - if there was "anything that may take" the person away. British Columbia was also said to have a poor policy re: maternity leave.

Common and Civil Law Relations

At last year's CALS/ACED conference, French schools were upset with the necessity of speaking English. This year's conference was conducted, for the most part, by a

Paternalism & The Single Napkin Rule

By Teresa Scassa

Paternalism is a terrible thing. It is terrible for many reasons. To begin with, anything ending with an "ism" usually refers to a mass of pompous notions welded together by some fairly sweeping generalisations.

Paternalism is also a terrible thing because it means that those subjected to it don't get to make their own mistakes. They have to make other people's. Some people like paternalism because it means that they are always looked after and never need to make independent choices. This is where paternalism, which is a terrible thing, begins to resemble a wonderful thing. Don't be fooled.

An illustration is useful. If you have bought anything from the cafeteria in the last week, you have been paternalized. It happens at the cash register, right after you have collected your heap of alleged food. You pay your money. Along with your change you are handed a single napkin.

One napkin. You are not allowed two napkins or three napkins or even a handful of napkins. You

are not allowed to choose your own napkins. This is paternalism. This is a terrible thing. Granted, some students used to get a napkin-happy back in the good old days. But when you look at the price of a cup of coffee, you have to admit that the 35 cents over and above what it is really worth (including 18 creams and a pound of sugar) must be intended to cover as many napkins as the truly free individual might wish to take.

Some people regularly spill their coffee. Some people get nasty sticky donut ooze all over their fingers. For these people, one napkin is just a cruel joke. One napkin might be enough if you were sitting down to an elegant dinner with a real knife and fork at a half-way decent restaurant. But when you're dealing with finger food, self-destructing sandwiches and brittle plastic cutlery designed for the hands of the smaller primates, you need multiple napkins.

Free thinking students should rebel against this dreadful kindergartenism

Cont'd on p.9

bilingual chairman - our own Dave Lametti. Fortunately for CALS/ACED, Gary Bell, also of McGill fame, saw fit to attend the conference on the day of this topic. Aside from myself, he was the only Civil Law Representative present at that time. Gary expressed the view that the bilingual understanding at CALS was important and that this language policy must be made clear. It was strongly held that CALS wants input from the Quebec Civil Law association (CADED). As a result, the emphasis in future will be on bilingual communication.

10. The New CALS/ACED Executive

President - Sue Stashnoff (UVIC)

V.P. Common Law - Sean Hanrahan (UNB)

V.P. Civil Law - (to be named at CADED meeting)

Secretary-Treasurer - David T. Lametti (McGill)

In closing I would like to congratulate Dave and the other new members of the executive and I would urge all students at McGill (especially those who have made it this far in my article) to take notice of the existence and potential of CALS/ACED and, wherever possible, to get involved.

Letter to the EDITOR: *BILINGUALISM?*

Dear Editor/Madame la Rédactrice,

Je n'ai pas encore eu l'occasion de m'adresser à la faculté de droit à la fois en français, et en anglais. Le doyen le fait assez souvent. Même quelques étudiants le font. J'aimerais aussi vous parler en français et anglais, mais il me semble que ce jour n'arrivera pas. Donc, j'ai décidé de vous écrire une lettre, et de partager avec vous mes pensées *franglaises*.

Ça fait déjà plus de deux ans que je suis venu ici pour étudier le droit. Mais je suis venu à McGill parce que je voulais étudier dans un milieu bilingue.

Letter to Rumpule...
Cont'd from p.5

Madness raged around us. T. Boone Aboud, in a spirited display of vigilante capitalism, confronted the hotel manager, threatening to buy the place to prevent legal troubles and to end the manager's employ. Few shares were tendered. Security guards and policemen, with conspicuously bad judgment skills, pleaded to our sense of reason, opining, quite wrongly, that we were the young leaders of tomorrow. Joe Starnino took it as a compliment. Fortunately, fatigue conquers all - slowly everyone returned to their room, a strong train with two F's on the point, soon awaited us.

As peace ensued, I looked back on my Law Games career. The memories have melted together like sheets from a malodorous night spent cuddling with Doug Mitchell. I will miss the Games and I hope this year's enthusiasm carries on to next year.

My best to Auntie Hilda,

Your nephew,

Augustus

J'ai découvert qu'il y avait beaucoup d'étudiants, et des professeurs, qui savaient parler français. J'ai même entendu quelques personnes parler le français ici. Mais, je n'ai pas encore trouvé le milieu bilingue que je cherchais.

J'ai essayé de temps en temps de parler français à l'école. Mais tout le monde m'a répondu en anglais. Je ne comprends pas.

Mais cette année, j'ai découvert pourquoi tant de monde me répond en anglais. C'est parce que tout le monde pense qu'un garçon qui vient de Vancouver n'est sûrement pas capable de parler français.

J'ai eu quelques occasions de parler français sans interruption récemment. Mes compagnons m'ont dit avec surprise: "Tu parles très bien français! Je pensais que tu ne le parlais pas!" Moi, j'ai répondu: "Tu ne m'as jamais écouté assez pour le savoir avant."

I know that this letter comes a little late in the game for me and that I must take part of the blame myself for speaking English most of the time. I have not tried hard enough. I lived in Montreal for two years before coming to law school. Back then I tried harder. I lied to people so that they would be forced to speak to me in French. I told them I spoke only German and French and that they could take their pick. Being in Montreal and French-speaking, most elected to speak French. At law school, however, this approach was not so plausible. I just could not hide my anglo-ness. So I acted instead like an English-speaking Quebecer. I spoke English all the time.

I would like to end this letter with a few suggestions. La première chose que je vous suggère est d'essayer de transformer cette

institution un peu. Rather than maintaining this English milieu that has lots of bilingual people in it, let's try making it a truly bilingual milieu. On pourrait commencer avec le *Quid Novi*. I am not suggesting that the English contributors start writing in french. Je suggère que les étudiants français contribuent plus.

Skit Nite seems another ideal candidate for bilingual status. L'année passée, le spectacle était complètement anglais. I am sure that many in the audience would appreciate and understand a little more french on stage. Mes blagues anglaises ne se traduisent pas facilement. Avez-vous des blagues intraduisibles?

These are all the suggestions I have for now. Je m'en remets aux étudiants francophones et bilingues pour faire quelque chose. I hope this letter is enough to get the ball rolling. See you at Skit Nite, j'espère.

P.S. Please excuse my french. Je ne l'utilise pas souvent. But I promise to try a little harder.

PATERNALISM...
Cont'd from p.8

which has beset our faculty. After all, where will it end? If this wave of paternalistic fervour goes unchecked the consequences could be deadly. We might be told what courses are really good for us. Profs might start reading the Civil Code to us as if we were kids listening to a bedtime story.

So the next time you spend hard-earned money on hardened food, demand extra napkins. Let's wipe paternalism from the face of the law school!

LSA UPDATE...LSA UPDATE...

By Kenneth Rosenstein

This is a summary of issues discussed in the past three legislative council meetings.

LSA LOUNGE:

The council passed a motion;

Whereas the present state of the LSA lounge is unacceptable to smokers and non-smokers alike; and whereas the normal sources of funding would not permit any improvements to be made to the lounge this year; and mindful of the fact that under normal circumstances the LSA does not contribute to the physical plant of the faculty; be it resolved that the LSA agree to purchase adequate furniture for the lounge under the condition

that the Dean's Office first procure a mutually acceptable carpet for both the lounge and the new games room, and an exhaust fan for the lounge.

The LSA has sought to reach a compromise with the Dean's Office to improve the atmosphere of the lounge.

QPIRG:

Council passed a motion that the LSA endorse the McGill Chapter of Quebec Public Interest Research Group. Council felt that this endeavour is of interest to the McGill Law Students and should therefore give its endorsement.

UNDERFUNDING:

Council formed a committee to look into the problem of underfunding and give recommendations on how to deal with it.

AWARDS:

Council formed a committee to award 6 participation awards open to everyone, except graduating students who are eligible for 4 participation awards to be given to graduating students exclusively. In addition 4 sports awards will be given out. The number of awards in each category was chosen to strike a balance between fostering participation and giving a certain amount of significance to achieving one.

URGENT !!!

IMPORTANT NOTICE

DEADLINE !

B.C.L., LL.B. III - GRADUATING STUDENTS

Do you want your picture hanging in McGill halls?

IF SO, READ THIS

A composite for our class will not be done unless enough people get their grad photo taken and pay \$21.95. There are deadlines! By

- 1) Friday, March 18, 1988 - Have picture taken at Van Dyck Studios (No appointment necessary).
- 2) Friday, March 25, 1988 - Pick up proofs from Van Dyck Studios.
- 3) Thursday, March 31, 1988 - Return favourite pose to Van Dyck Studios.

What do you want to get?

- 1) Your picture on the master copy to hang at 3644 Peel - Your place in history!
- 2) 11" x14" .

For more information :

LSA Office - 398-6966
Bob Higgins - 939-0683
Hélène Tessier - 677-0636
Rob Goldstein - 848-0756

Where:

Van Dyck & Meyers Studios
1121 Ste-Catherine St. West (just west of Peel)
Phone: 849-7327